IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

and
HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 8432 of 2005

Between:

Nyaya Samrakshana Seva Samithi (Regd.43/95) (A socio-legal, Non-profitable voluntary organisation)
rep.by its President, T.Loona Nayan Kumar, S/o.T.Narasimha Reddy, R/o.2-3-703/1, Thirumalanagar, Amberpet, Hyderabad.

..... PETITIONER

AND

1 The State of A.P., rep. by its Prl. Secretary, Home Department, Secretariat Buildings, Hyderabad.
2 The Registrar (Administration), High Court of Andhra Pradesh, AP. High Court Compound,
Hyderabad.
3 The Director General of Police, Lakdikapul, Hyderabad.
4 The Director of Prosecutions, office of the D.G.P. Lakdikapul, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Hon'ble Sessions Courts of the State of Andhra Pradesh in not disposing of the bail petitions expeditiously and granting adjournments for want of C.D. (Case Diary) files from the concerned police stations, as illegal, arbitrary, against the provisions of Criminal Procedure Pode and violative of Article 21 of the Constitution of India and consequently direct 2nd respondent to issue administrative and judicial guidelines to the Sessions Courts of Andhra Pradesh to dispose of the bail petitions, irrespective of the fact of receiving C.D. files or not, expeditiously and also direct respondents 3 and 4 to instruct their subordinates to get the C.D. files/instructions from the concerned police stations, without delay, in bail petitions disposed of expeditiously.

Counsel for the Petitioner : PARTY-IN-PERSON

Counsel for the Respondent Nos. 1, 3 & 4: GP FOR HOME

Counsel for the respondent No.2: SMT. M. BHASKARA LAKSHMI (SC FOR APHC).

The Court made the following :

*Form-NIC-OGS/WP{**JA**}*

ORAL ORDER:

(per Hon'ble The Acting Chief Justice)

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An unconditional apology has been filed. The apology is accepted and the contempt proceedings proposed to be initiated against the petitioner are dropped. The paragraphs in the affidavit which, in our view, are contemptuous are paragraphs 3, 4, 8 and 9 and be erased by the Registry from the writ affidavit. Since these paragraphs are removed, there remains nothing to be decided in the writ petition. Accordingly the writ petition is dismissed. No costs.

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BILAL NAZKI. ACJ.,

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G. CHANDRAIAH. J.,

Dated: 01.07.2005.

VRK.

To

1 The Principal Secretary to Government, Home Department, Secretariat Buildings, Hyderabad.
2 The Registrar (Administration), High Court of Andhra Pradesh, AP. High Court Compound, Hyderabad.
3 The Director General of Police, Lakdikapul, Hyderabad.
4 The Director of Prosecutions, office of the D.G.P. Lakdikapul, Hyderabad.

5. Two CCs to G.P., for Home, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE

G. CHANDRAIAH.

W.P.NO. 8432 OF 2005.

(Order of the Bench delivered by

Hon'ble The Acting Chief Justice)

Dt: 01.07.2005.